

UNITED STATES DISTRICT COURT

WILMINGTON, DE

CASE NO. 06-244-SLR

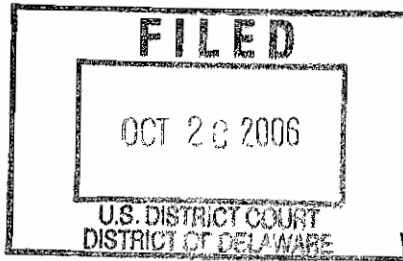
Joan T. Kloth

PLAINTIFF

Vs.

Southern Christian University;  
Board of Directors; et.al

DEFENDANTS



**MOTION TO AMEND COMPLAINT**

\* \* \* \* \*

Appellant, Joan Kloth ("Appellant"), PRO SE, hereby moves under Federal Civil Rule 59(c) to amend the Complaint filed against Southern Christian University, solely for the purpose of seeking to hold Southern Christian University liable for any and all student loans pertaining to this lawsuit in the amount of \$58,000. In support of this motion, Appellant shows as follows:

**BACKGROUND**

1. The Plaintiff, Joan T. Kloth, a resident of New Castle County, DE, residing at 37 Winter Haven Drive, Apt.1, Newark, DE 19702 in the referenced matter respectfully requests an Application to file a \$2,058,000 lawsuit against the named Defendants, Southern Christian University (hereafter referred to as "SCU"), et. al, located at 1200 Taylor Avenue, Montgomery, Alabama 36117-3553 for Breach of Implied Contract to provide a complete education and Religious Discrimination against Plaintiff, who is of a different religious belief than the Defendants, which caused irreparable financial, physical and emotional damages upon the Plaintiff and her family.

2. Sheriff served defendant on July 28, 2006 providing defendant, SCU, until August 18<sup>th</sup> to answer.

3. Plaintiff, Joan T. Kloth, gave the defendant 69 days to answer.

4. On October 5, 2006, Plaintiff finally filed for a Summary Judgment as defendant, SCU, never responded to the initial lawsuit.

5. Do to defendant's, SCU's, willful refusal to respond with an answer, plaintiff, Joan T. Kloth, requests that the courts find the defendant also responsible for any and all student loans related to this lawsuit. The plaintiff fears that defendant, SCU, will not pay the award and thus leave plaintiff still liable for the student loans

for the degree which the defendant breached the implied contract to provide a complete education for said degree related to the student loans.

WHEREFORE, the Plaintiff respectfully requests that the Court amend the Complaint against the Defendant for Breach of the Implied Contract to provide the student with a complete education to include defendant as sole responsibility for the student loans incurred by the Plaintiff. Furthermore, Plaintiff requests this Court order the Defendant to pay all costs, including court costs, attorney's fees for the bringing of this motion, including \$58,000 in student loans for a degree Plaintiff is unable to obtain. Plaintiff was denied the opportunity to obtain a degree, which would have led to her licensure as a therapist. This impediment cost the Plaintiff a livelihood and lost income over the next 30 years calculated at a part-time rate for a minimum monetary loss of \$2,000,000. Plaintiff also incurred and continues to incur emotional damages and financial damages from the devastation incurred in trying to find a clinical training site to complete her degree. Plaintiff requests the courts find in Plaintiff's favor along with any other such relief as the Court may deem the plaintiff is entitled to.

Respectfully submitted:



JOAN T. KLOTH  
37 Winter Haven Drive, Apt. 1  
Newark, DE 19702  
Pro-Se

UNITED STATES DISTRICT COURT  
AND FOR THE DISTRICT OF DELAWARE  
CASE NO. 06-244-SLR

Joan T. Kloth

PLAINTIFF

Vs.

Southern Christian University;  
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DEFENDANTS

**MOTION TO AMEND COMPLAINT**

**ORDER**

AND NOW, this \_\_\_\_\_, day of \_\_\_\_\_, 200 \_\_, the Courts having heard and considered the  
Plaintiffs Motion for Summary Judgment and any response thereto,

IT IS HEREBY ORDERED that the plaintiff's Motion for Summary Judgment is hereby granted. There  
being no cause for delay, the Court enters this Order as a Final Judgment pursuant to District Court Civil Rule 54.

BY THE COURT,

\_\_\_\_\_  
Judge/Clerk

UNITED STATES DISTRICT COURT

AND FOR THE DISTRICT OF DELAWARE

CASE NO. 06-244-SLR

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PLAINTIFF

Vs.

Southern Christian University;  
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DEFENDANTS

**AFFIDAVIT OF SERVICE**

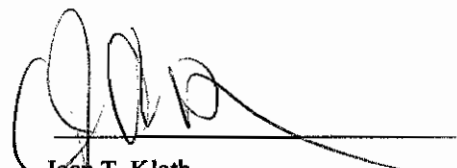
STATE OF DELAWARE:

COUNTY OF NEW CASTLE:

SS.

BE IT REMEMBERED THAT on this the 16<sup>th</sup> day of the month of October, 200 6, I,  
Joan T. Kloth mailed, first-class postage prepaid, two (2) copies of the Motion to Amend Complaint to Southern  
Christian University and it's Board of Directors, et.al, at 1200 Taylor Avenue, Montgomery, AL 36117-3553.

Certified Registered Mail No. 7005 3110 0002 6755 2930  
~~Return Receipt No.~~ 7005 3110 0002 6755 2997

  
Joan T. Kloth  
Plaintiff, Pro-Se

7005 3110 0002 6755 2947

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NEWARK DE MAIN OFFICE  
10/16/2006

Sent To  
SCU  
Street, Apt. No.,  
or PO Box No. 1200 Taylor Ave.  
City, State, ZIP+4  
Montgomery AL 36117-3553

PS Form 3800, June 2002 See Reverse for Instructions

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10/16/2006

Sent To  
SCU - Board of Directors, et al  
Street, Apt. No.,  
or PO Box No. 1200 Taylor Ave.  
City, State, ZIP+4  
Montgomery AL 36117-3553

PS Form 3800, June 2002 See Reverse for Instructions

Kloth  
37-01 Winter Haven Dr.  
Newark, DE 19702

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U.S. District Court  
844 North King Street  
Box 18  
Wilmington, DE. 19801

U.S. DISTRICT COURT  
NEWARK, DE.

1980103210002

